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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/756,129

01/13/2004

Jerry W. Malcolm

AUS920031036US1

3162

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7590

11/21/2007

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EXAMINER

BAROT, BHARAT

ART UNIT

PAPER NUMBER

2155

MAIL DATE

DELIVERY MODE

11/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/756,129

Applicant(s)

MALCOLM ET AL.

Examiner

Bharat N. Barot

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 01/13/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Pepe et al (U.S. Patent No. 5,742,905). Pepe's patent meets all the limitations for claims 1-33 recited in the claimed invention.

4. As to claim 1, Pepe et al teach a method comprising: receiving information associated with a telephone call involving a first party and a second party; allocating a storage space that is accessible by at least one of the first party and the second party based on at least a portion of the received information; and allowing at least one of the first party and second party to provide electronic information intended for the other party using the storage space (figures 2-3; and column 6 line 20 to column 4 line 15).

5. As to claim 2, Pepe et al teach that allocating the storage space associated with a server on the Internet, and wherein the storage space is accessible by both the first party and the second party (figure 4; and column 7 lines 16-48).

6. As to claim 3, Pepe et al teach that receiving at least one of information associated with a name of a calling party, information associated with a name of a called party, information associated with a telephone number from which the telephone call originates, information associated with a telephone number to which the telephone call is made, information associated with a time of the telephone call, and information associated with a date of the telephone call (figures 38-41; and column 35 line 52 to column 36 line 15).

7. As to claims 4-5, Pepe et al teach that defining an electronic folder for each telephone call made by at least one of the first party and the second party, wherein each electronic folder is adapted to store electronic information that is exchanged by the first and second party during that call; and allowing the second party to provide electronic information intended for the first party using the storage space (figures 28-35; and column 34 line 17 to column 35 line 30).

8. As to claims 6-7, Pepe et al teach that determining if at least one of the first party and second party is authorized to access the storage space and wherein the act of allocating the storage space comprises allocating the storage space based on

determining that at least one of the first party and second party is authorized to access the storage space; and determining if at least one of the first party and the second party is on a call block list and determining if at least one of the first party and the second party is a subscriber (column 6 lines 1-19; and column 7 lines 4-15).

9. As to claim 8, Pepe et al teach that the telephone call is managed by a service provider, and wherein receiving the information comprises at least one of receiving the information provided by the service provider and accessing caller identification information associated with the telephone call (figure 4; column 6 lines 1-20; and columns 7-8).

10. As to claim 9, Pepe et al teach that the telephone call is a conference call, and wherein the act of receiving comprises receiving the information associated with the conference call involving the first party, the second party, and a third party (figures 4 and 24; and column 29 line 26 to column 33 line 3).

11. As to claim 10, Pepe et al teach that creating an electronic folder associated with each of the first party and the second party and further associating the two electronic folders with each other (figures 28-35; and column 34 line 17 to column 35 line 30).

12. As to claim 11, Pepe et al teach that allowing at least one of the parties to provide at least one of a text file, a graphics file, a video file, an audio file, and a multimedia file (figures 1-2; and column 5 line 28 to column 6 line 51).

13. As to claim 12, Pepe et al teach that the storage space is associated with a remotely located server, and allowing the first party to upload an electronic file to the storage space by at least one of dragging and dropping the electronic file in a selected window and transferring the electronic file using a desirable file transfer protocol (see abstract and summary of the invention; figures 1-5; and columns 7-11).

14. As to claims 13-19, they are also rejected for the same reasons set forth to rejecting claims 1-12 above, since claims 13-19 are merely a program product for the method of operations defined in the claims 1-12.

15. As to claims 20-27, they are also rejected for the same reasons set forth to rejecting claims 1-12 above, since claims 20-27 are merely an apparatus for the method of operations defined in the claims 1-12.

16. As to claims 28-30, they are also rejected for the same reasons set forth to rejecting claims 1-2 and 12 above, since claims 28-30 are merely an apparatus for the method of operations defined in the claims 1-2 and 12.

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17. As to claims 31-33, above remarks rejecting claim 1 equally apply here.

Additionally, Pepe et al teach that accessing the storage space comprises gaining access to a sever by providing login information and accessing an electronic folder to which both the first party and the second party have access (figures 2-3; and columns 6-8).

Contact Information

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 7:00 AM to 3:30 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Bharat Barot.
BHARAT BAROT
PRIMARY EXAMINER

Patent Examiner Bharat Barot

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November 16, 2007